

1 ANTHONY P. SGRO, ESQ.  
Nevada Bar No. 3811  
2 JENNIFER WILLIS ARLEDGE, ESQ.  
Nevada Bar No. 8729  
3 **SGRO & ROGER**  
2901 El Camino Ave, Suite 204  
4 Las Vegas, Nevada 89102  
5 Telephone: (702) 384-9800  
Facsimile: (702) 665-4120  
6 tsgro@sgroandroger.com  
7 jarledge@sgroandroger.com  
*Attorneys for Plaintiff Rayven Lafua*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 RAYVEN LAFUA,

12 Plaintiff,

13 vs.

14  
15 LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a law enforcement agency of  
16 the State of Nevada; SERGEANT KASHIF  
SUMMERS, in his individual and official  
17 capacity; CAPTAIN KRISTINE BUIST, in her  
individual and official capacity, DOE  
18 DEFENDANTS 1 through 10; and ROE  
19 DEFENDANTS 1 through 10, inclusive,

20 Defendants.  
21

Case No.: 2:22-cv-02133-GMN-BNW

22 **STIPULATION AND ORDER FOR EXTENSION OF DISCOVERY DEADLINES**  
23 **(SECOND REQUEST)**

24 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and LR 6-1 and LR 26-4, Plaintiff, by  
25 and through his counsel of record, Jennifer Willis Arledge, Esq., of the law firm SGRO & ROGER,  
26 and Defendants, by and through their counsel of record, Nick D. Crosby, Esq., of the law firm  
27 MARQUIS AURBACH, hereby stipulate and request that this Court extend discovery deadlines  
28 in the above-captioned matter for approximately (60) days, up to and including December 15,

2023.

In support of this stipulation and request, the parties state as follows:

**I. PROCEDURAL HISTORY**

1. On December 12, 2022, Plaintiff filed his Complaint. ECF No. 1.
2. On January 19, 2023, Defendants filed their Motion for Partial Dismissal of Plaintiff's Complaint. ECF No. 7.
3. On January 19, 2023, Defendants filed their Answer to Plaintiff's Complaint. ECF No. 9.
4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order. ECF No. 15.
5. On May 30, 2023, this Court entered its Order Granting Defendants' Motion for Partial Dismissal. ECF No. 17.
6. On June 16, 2023, Plaintiff filed his First Amended Complaint. ECF No. 18.
7. On June 30, 2023, Defendant filed their Motion for Partial Dismissal of Plaintiff's First Amended Complaint. ECF No. 22.

**II. DISCOVERY COMPLETED TO DATE**

1. The parties participated in the FRCP 26(f) conference on February 17, 2023.
2. On March 2, 2023, Plaintiff served his Initial Disclosure of Witnesses and Documents pursuant to FRCP 26.
3. On March 3, 2023, Defendants served their Initial Disclosure of Witnesses and Documents pursuant to FRCP 26.
4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order. ECF No. 15.
5. On March 9, 2023, the Defendants served written discovery on Plaintiff.
6. On March 15, 2023, Plaintiff served written discovery on Defendants.
7. On April 24, 2023, Plaintiff responded to Defendants' discovery requests.
8. On May 1, 2023, LVMPD Defendants responded to Plaintiff's discovery requests.
9. On September 26, 2023, Defendants took the Deposition of Dan Coyne.
10. On September 28, 2023, Plaintiff took the Deposition of Sergeant Kashif Summers.
11. On October 2, 2023, Defendants took the Deposition of Plaintiff Rayven Lafua.

12. On October 3, 2023, Plaintiff took the Deposition of Detective Matthew Pacheco and Officer Elmer Martinez-Garcia.

13. On October 6, 2023, Plaintiff took the Deposition of Captain Kristine Buist.

### III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties require more time in this case to schedule and take the depositions of pertinent witnesses. The parties attempted to complete the depositions prior to the current discovery cutoff. To date, counsel for both sides has been diligent in responding to discovery requests and producing necessary documents to expedite the resolution of this matter and reduce the costs and burdens on both sides. However, attorney and witness scheduling conflicts have delayed the noticing of a few remaining relevant depositions, thus necessitating an extension of discovery deadlines. LVMPD Defendants are still attempting to find acceptable times to schedule the deposition of Sergeant Brent Garcia and a Rule 30(b)(6) witness.

### IV. REMAINING DISCOVERY

1. The Plaintiff intends to take the deposition of:

- a. Defendant LVMPD's FRCP 30(b)(6) witness;
- b. Sergeant Brent Garcia

### V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion must be made no later than twenty-one (21) days before the expiration of the subject deadlines and comply fully with LR 26-4. The parties acknowledge that they are submitting this request less than twenty-one (21) days before the discovery cut-off date. The parties are actively attempting to schedule depositions and complete the remaining discovery, but just recently realized that completion within the allotted time would be impractical due to limited availability of counsel and witnesses. Good faith exists for this delay because discovery is necessary for the parties to properly prepare for dispositive motions and trial. Therefore, the parties respectfully request that the modification of the scheduling order be granted. The following is a list of the current discovery deadlines and the parties' proposed extended deadlines.

Discovery Cut-Off Date	October 16, 2023
Amending the Pleadings and Adding Parties	Completed April 19, 2023
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
Dispositive Motions	November 15, 2023
Pre-Trial Order	December 14, 2023

The requested 60-day extension would extend the deadline dates as follows:

<b>Discovery Cut-Off Date</b>	<b>December 15, 2023</b>
Amending the Pleadings and Adding Parties	Completed April 19, 2023
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
<b>Dispositive Motions</b>	<b>January 15, 2024</b>
<b>Pre-Trial Order</b>	<b>February 14, 2024</b>

This request for an extension of time is not sought for any improper purpose or for purposes of delay. The parties are in continuous communication with one another and are actively attempting to coordinate schedules to complete discovery. Therefore, the parties respectfully submit that the reasons set forth above constitute compelling reasons for the discovery extension.

///

///

///



1 WHEREFORE, in an effort to ensure an effective discovery period and to reduce the  
2 burden to both parties, their staff, and clients, the parties file this stipulation requesting an  
3 approximate 60-day extension for each discovery deadline as set forth above. The parties  
4 respectfully request that this Court extend the discovery dates as outlined in accordance with the  
5 table above.

6 IT IS SO STIPULATED this 11th day of October 2023.

7 **MARQUIS AURBACH**

**SGRO & ROGER**

8  
9 By: /s/ Nicholas D. Crosby  
10 Nicholas D. Crosby, Esq.  
11 Nevada Bar No. 8996  
12 Nicholas M. Adams, Esq.  
13 Nevada Bar No. 15859  
14 10001 Park Run Drive  
15 Las Vegas, NV 89145  
16 *Attorney for Defendants*

By: Jennifer W. Arledge  
Anthony P. Sgro, Esq.  
Nevada Bar No. 3811  
Jennifer Willis Arledge, Esq.  
Nevada Bar No. 8729  
2901 El Camino Ave, Suite 204  
Las Vegas, NV 89102  
*Attorneys for Plaintiff Rayven Lafua*

15 **IT IS SO ORDERED**

16 **DATED:** 1:25 pm, October 13, 2023

17   
18 **BRENDA WEKSLER**  
19 **UNITED STATES MAGISTRATE JUDGE**